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7  
8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 VIRLEE OSBORNE,

14 Defendant.

Case No. 2:17-cr-00211-APG-PAL

**STIPULATION TO CONTINUE  
CHANGE OF PLEA HEARING**  
(second request)

15  
16 IT IS HEREBY STIPULATED AND AGREED, by and between Dayle Elieson, United  
17 States Attorney, and Brandon Jaroch, Assistant United States Attorney, counsel for the United  
18 States of America, and Rene L. Valladares, Federal Public Defender, and Erin Gettel, Assistant  
19 Federal Public Defender, counsel for Virlee Osborne, that the change of plea currently  
20 scheduled for August, 7, 2018, at 9:30 a.m. be vacated and continued to a date and time  
21 convenient to this Court on or after August 14, 2018.  
22  
23  
24  
25  
26

1 This Stipulation is entered into for the following reasons:

2 1. The Ninth Circuit recently issued a second decision that could affect Mr.  
3 Osborne's sentencing exposure and his decision to enter into a plea agreement with the  
4 government.

5 2. Defense counsel needs additional time to discuss the impact of the Ninth  
6 Circuit's decision with Mr. Osborne.

7 3. The defendant is incarcerated and does not object to the continuance.

8 4. The parties agree to the continuance.

9 5. The additional time is not sought for purposes of delay, but to allow defense  
10 counsel sufficient time to discuss all alternatives with Mr. Osborne.

11 6. The additional time does not require a continuance of the currently scheduled  
12 calendar call and trial dates of August 22nd and August 27th and therefore does not implicate  
13 the Speedy Trial Act.

14 This is the parties' second stipulation to continue the change-of-plea hearing.

15 DATED this 3rd day of August, 2018.

16  
17 RENE L. VALLADARES  
18 Federal Public Defender

DAYLE ELIESON  
United States Attorney

19 /s/ Erin Gettel  
20 By \_\_\_\_\_  
21 ERIN GETTEL  
Assistant Federal Public Defender

/s/ Brandon Jaroch  
By \_\_\_\_\_  
BRANDON JAROCH  
Assistant United States Attorney

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 VIRLEE OSBORNE,

7 Defendant.  
8

Case No. 2:17-cr-00211-APG-PAL

ORDER

9  
10 **FINDINGS OF FACT**

11 Based on the pending Stipulation of counsel, and good cause appearing therefore, the

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23 calendar call and trial dates of August 22nd and August 27th and therefore does not implicate  
24 the Speedy Trial Act.

25 This is the parties' second stipulation to continue the change-of-plea hearing.  
26

**ORDER**

IT IS THEREFORE ORDERED that the change of plea currently scheduled for August 7, 2018, at 9:30 a.m., be vacated and continued to August 22, 2018 at the hour of 9:30 a.m. in Courtroom 6C.

DATED this 3rd day of August, 2018.

  
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ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE